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EC-2

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION 10**  
1200 Sixth Avenue  
Seattle, Washington 98101

July 3, 1997

Reply To  
Attn of: ECO-088

Jay K. Carlson  
Owyhee Area Manager  
Bureau of Land Management  
Boise Field Office  
3948 Development Avenue  
Boise, Idaho 83705

**Re: Owyhee Resource Management Plan and Draft Environmental  
Impact Statement**

Dear Mr. Carlson:

In accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, the U.S. Environmental Protection Agency (EPA) has reviewed the above referenced draft Environmental Impact Statement (draft EIS). The draft EIS analyzes four alternative land use plans to address issues regarding resource management on Bureau of Land Management (BLM) lands in the Owyhee Resource Management Area (RMA), located in southwest Idaho.

Based on our review, we have assigned a rating of EC-2 (environmental concerns - insufficient information) to the draft Environmental Impact Statement (EIS). This rating and a summary of our comments will be published in the *Federal Register*. A copy of our rating system is enclosed for your reference.

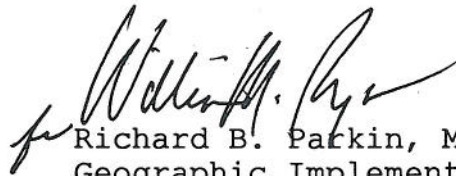
Our overall concerns are that the draft EIS lacks specificity about how the land will be managed and its implication on water quality. In addition, we are concerned that there is no connection with any pending requirements from the Upper Columbia River Basin (UCRB) management strategy and from the Total Maximum Daily Loads (TMDL) requirements that will be set by the State of Idaho under the Clean Water Act. We recommend that the EIS identify the specific actions that will be carried out to manage the land and how these actions will result

in improved water quality. We further recommend that the EIS explain the connection between the Resource Management Plan (RMP) and the pending UCRB management strategy and the TMDL requirements. These issues, as well as others we believe should be addressed in the final EIS, are discussed in greater detail in the enclosure to this letter.

We appreciate the considerable time and effort that you and your staff have spent in preparing this draft EIS. We understand that the development of the RMP has been contentious and difficult because of the competing interests of the various stakeholders. We applaud your efforts to involve the stakeholders in the development of the RMP and draft EIS by holding workshops and allowing the stakeholders to develop the proposed alternatives. This indeed meets the letter as well as the spirit of NEPA by having open public participation.

Thank you for the opportunity to review this draft EIS. Please contact Andy Smith at 206-553-1750 if you have any questions about our comments.

Sincerely,

A handwritten signature in dark ink, appearing to read "Richard B. Parkin", is written over the typed name.

Richard B. Parkin, Manager  
Geographic Implementation Unit

enclosure

U.S. Environmental Protection Agency  
Detailed Comments of the Owyhee Resource Area  
Draft Resource Management Plan and Environmental Impact Statement

**Overall Comments**

The U.S. Environmental Protection Agency's (EPA) primary environmental concern, which the draft environmental impact statement (EIS) identifies and addresses, is water quality standards for the streams and rivers. The principal contributing activity that impacts the streams and rivers is cattle grazing. EPA's main criticism is that the Bureau of Land Management (BLM) proposes to approve and implement grazing systems but does not specify what that system entails in terms of best management practices (BMPs) that will be used. The Resource Management Plan (RMP) thus appears to be a plan to develop a plan. Because the RMP does not contain sufficiently clear land management direction, we do not believe the impacts have been well defined, evaluated, and disclosed. The EPA believes this leaves little for the public to comment regarding the adequacy of the plans.

In addition to the need for more specificity, the draft EIS needs to recognize other ongoing planning activities that may modify any RMP put in place. The Upper Columbia River Basin (UCRB) management strategy will cover the Owyhee Resource Management Area (RMA). Any prescriptive measures that come out of this inter-agency planning effort will likely supersede measures put in place under the Owyhee RMP. The EPA believes this should be acknowledged and explained in the EIS for the benefit of the reviewers and integrated into the provisions of the management plan itself. At a minimum, the EPA recommends explaining the encompassing nature of the UCRB management strategy in the EIS. Ideally, it would be better that the Owyhee RMP be developed under the guidance set out in a final UCRB management strategy.

Similarly, ongoing efforts to develop Total Maximum Daily Loads (TMDLs) under section 303(d) of the Clean Water Act for streams and rivers in the Owyhee RMA may later modify the Owyhee RMP. The EPA recommends that the EIS discuss the relationship of the RMP with the TMDL efforts that Idaho is undertaking. There is limited discussion on TMDLs in the paragraph under Water Resources in the Affected Environment section. However, the EPA believes this is a sufficiently important topic to warrant further discussion. The EIS should acknowledge that in order to meet or exceed water quality standards, requirements for nonpoint sources (such as BMPs for grazing) may need to be set under the

TMDLs developed by Idaho. The EPA recommends that BLM work with Idaho and interested stakeholders in developing the TMDLs for the Owyhee RMA.

Additionally, the document should clearly identify the streams in the RMA that are listed as "water-quality limited" streams under section 303(d) of the Clean Water Act. It would be more informative if the 303(d) listed streams were shown on a map as well.

## **Specific Comments**

### Water

It would be useful to know the percentage of streams that currently fully support all designated uses in order to evaluate the improvements under the alternatives.

There does not appear to be any mechanism in place to monitor and trigger watershed restoration efforts should monitoring indicate a deterioration of stream conditions. There should be discussion on how monitoring will take place, who will conduct the monitoring, and how frequently (i.e., a monitoring plan should be in the EIS). If monitoring shows degradation to the streams, a contingency plan should be laid out that can be implemented.

The preferred alternative proposes, in the event that no grazing system is implemented, to keep cattle out of the riparian area after July 15 when the hot season begins. The EPA believes there is water quality degradation with cattle grazing in riparian areas any time of the year and that without implementation of specific BMPs, EPA fails to see how this alternative will repair or prevent damage to riparian areas. Without identifying specific BMPs, this leaves little for EPA to evaluate in terms of the environmental impacts of the alternative.

Similarly, under the various alternatives, there is an array of plans proposed for development to manage the various resources. As examples, the draft EIS lists developing allotment management plans, grazing plans, long-term resource management plans, habitat plans, and simply management plans. Once again, this leaves the reviewer with nothing specific to comment on and leaves the impacts from the various alternatives undefined.

As another example, alternative B suggests the

implementation of grazing systems in riparian areas that would result in improved buffering and filtering function, increased streambank stability, and improved stream channel shading. The EPA agrees to the goals but is unable to understand what specifically would be done to achieve those goals.

#### Air

It would improve the document if further technical explanation were given as to the objective of burning and how burning results in improved grasslands. Note also that in addition to short-term impacts of increased air pollution there is also water quality degradation.

It should be noted that Congress, in section 190 of the 1990 Amendments to the Clean Air Act, identified prescribed burning as a significant source of PM-10 (particulate matter with an aerodynamic diameter of less than or equal to 10 microns) and as such directed EPA to develop reasonably available control measures (RACM) and best available control measures (BACM). Some states with significant sources of prescribed burning have incorporated RACM or BACM into their state implementation plans for attaining or maintaining the national ambient air quality standards. RACM and BACM are essentially smoke management programs. Therefore, the Owyhee RMP should discuss any smoke management plan the state of Idaho may have in place for mitigating air pollution impacts from prescribed burns and how BLM would adhere to that plan.

There is an error in the discussion on Air Resources in the Affected Environment section with regard to the purpose of national secondary ambient air quality standards. The secondary standards set limits to protect public welfare, including protection against decreased visibility, damage to animals, crops, vegetation, and buildings [see CAA section 109(b)(2)].

Increments under the Prevention of Significant Deterioration program for particulate matter are now measured as PM-10 which replaced TSP.

U.S. Environmental Protection Agency Rating System for  
Draft Environmental Impact Statements  
Definitions and Follow-Up Action\*

Environmental Impact of the Action

LO - - Lack of Objections

The Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC - - Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO - - Environmental Objections

The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU - - Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 - - Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 - - Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 - - Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

\* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.

# Summary Paragraph Form

ERP Number D-BLM-L65273-ID

RATING EC-2

COMMENTLTR

7/3/97

Name of EPA Official Responsible For Review Of Project (Principal Reviewer)

Andy Smith

Summary

*expressed environmental about potential adverse impact*  
~~EPA's overall concerns are that the draft EIS lacks specificity about how~~  
~~the land will be managed and its implication on water quality.~~  
*and air*

Approved For Publication

(Initials of OFA  
Approving Official)

Note: Transmit 2 copies to MIU